1

AFD 117 FGN 1963

App. F. IX—4

Previous Reference 19 (.)

File No.

Serial Nos.

Later References.

THE MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Part B for

SUBJECT

WP 2330—GPB—2,00,000—1-6-61

AFD 185 F(B)63

No MIC P2159/63

OFFICE OF THE MINISTER FOR INDUSTRIES AND COMMERCE

AFD 117 F(B)63

Bangalore dated..9th..Oct...1963.

Sub: Grant of forest land in Kutta village, Virajpet Taluk, Coorg District, to the North Indian Firm known as M/s. Mahindra and Mahindra.

---

1) The file relating to the above subject may please be made available for the perusal of the Minister for Industries and Commerce.

B.O.

(M.Thipperudrappa)
PRIVATE SECRETARY
to the Minister for I & C.

MYSORE GOVT. SECRETARIAT
No 185 F 63
11 OCT 1963
AGRL. & FOREST DEPT. (APPAL SECTION)

Secy. A & F Dept.)

Sric

11/*

11/10/63

Mysore Government Secretariat | File No. of 196 . | [App. F. III 2

Serial No.

2) The file no. AFD 117 FRL 63 re: to the grant of land in favour of Harish C. Mahindra of M+M Co., is placed below as desired by the P.S. to the M(I+c).

@R 14/X/63

3) D.S.

JSR 15/10/63

4) Secy

for kind perusal, please.

Y.C. 17/10/63

P.T.O.

DEPUTY SECRETARY TO GOVT. NO. 6882 15 OCT 1963 AGRICULTURE & FOREST DEPTT

5484.

Note.—Contu. Sheet

AFD 185 F(B)63

Note.—Contn. Sheet

M (Forests) This file may be sent to Hon'ble Minister for C+G

RM 29.10.63

5454

M (C×D)

F.2702/63.

If the land is given away to the applicant, it will give room to great dissatisfaction for the local people. Applications in the past for acquiring the land for Coffee cultivation by the people of the locality have been turned down. If the land is to be granted for coffee cultivation as indeed is the decision of the Hon'ble Minister for Forests, applications may be invited from all people desirous of coffee cultivation and the land be granted to small cultivators in suitable blocks, instead of granting to an individual Capitalist of Bombay

6.M. for kind perusal

RM 13.11.63

Ken 11/11/63.
K. MALLAPPA,
Minister
for Industries & Commerce.

DEPUTY SECRETARY

OF THE MINISTER FOR INDUSTRIES & COMMERCE
No. F 3470
30 OCT 1963

6879
14 NOV 1963
BANGALORE.

OFFICE OF THE MINISTER FOR FORESTS & FISHERIES
No. F 2804
11 NOV 1963
BANGALORE.

Serial No.

File No.

Mysore Government Secretariat

[App. F. III 2

Minister for Forests, Fisheries and

Mysore Government Secretariat | File No. of 196 . | [App. F. III 2

Serial No. 8

6879

Is the land available for coffee cultivation? Pl. let us know how many applications were there for this land? Further the land is said to have been released by the Forest Dept. What is the present position?

16/11/63

Secy (A&F) XXX

Pl. Explain with details

a) Dr (ui) 2nd instance Secy (Forests) may kindly peruse. 18/11

Secy 19-11

10

19/11/63

M (Forests) A detailed Report may be obtained as to the information required in para 8 very early and put-up BR 20/11/63

S. A&F) XXX Secy 20-11

4. 21-11

BR 21/11/63

a) Dft letter to CCF calling for the particulars as required by the C.M vide para 8 n/7

AGRICULTURE & FOREST SECTT. 5454 18 NOV 1963 GOVERNMENT OF MYSORE

OFFICE OF THE MINISTER FOR FORESTS & FISHERIES No. F 2903/63 20 NOV 1963

AGRICULTURE & FOREST SECTT. NOV 1963 6137 GOVERNMENT OF MYSORE

DEPUTY SECRETARY TO GOVT. NO. 6882 21 NOV 1963 AGRICULTURE & FOREST DEPTT.

Note.—Contn. Sheet

is put up. The same may please be issued

@R
22/11

Hma
23/11

12) A revised draft is put up for approval. (Refs Paras 8 & 10 of N.7)

26/11/63

(T.S.Ramaiya)
Under Secy., A&FD.

DY. SECY. (A&FD)

13) Issue
27.11

Deputy Secretary
Agriculture and Forest Department

30/11/63

ISSUED
Date 5/12/1963

S.No. 1623 - Letter from Cf.

14) He has sent information re. the Cases which were Considered for grant of land. Also no other land is available for Coffee Cultivation. For orders.

4
5/12/63

Hla
15/12

DEPUTY SECRETARY TO GOVT. NO. 8076 27 NOV 1963 AGRICULTURE & FOREST DEPT.

Contd

Grant of forest land in Kutta village in favour of M/s. Mahindra and Mahindra.

Mysore Government Secretariat

AFD File No. 117 FGN of 1963. [App. F. III 2

Serial No.

A&F Dept.- Forest 'B' Section

15) The report of the C.C.F. at page 9 c/f is obtained with reference to the orders in paras 8 and 10 n/f noted above. TheC.C.F. has indicated the persons who had previously requested for the release of the area in this region and the decision taken by Government from time to time, till the same was released for coffee cultivation in favour of Sri H.C.Mahindra of Bombay. It is also stated as reported by the Conservator of Forests, Coorg Circle that no other land is available which is fit for coffee cultivation in the neighbourhood of this land.

Reference to paras 8 to 10 n/f.

DR 18/4/64
(T.S.Ramaiya)
Under Secy., A&FD.

(16)

DY.SECY.(A&FD)

(17)

SECRETARY(A&FD)

Y. C. HOMBALAYYA,
Secretary to Government,
Agriculture & Forest Department.

(18)

MIN.FOR FORESTS I would like to know whether matter has been removed and the area is made available to be granted

B. RACHAIAH,
Minister for Forests, Fisheries and Sericulture.

(19)

Note.—Contn. Sheet

XXX

What is the present state of things? Explain

File No. AFD 117 FGN of 1963. -Sup.

Mysore Government Secretariat

Serial No. 20

The main file which was ~~Secty~~ put up ~~to~~ on 16-10-63 is not available in this file. We may request the P.S. to Minister to send the same if it is with them. Thereon draft is put up for approval.

4/5/64

Resubmitted.. Draft on.

P. 10 Cf. may issue.

1/5/64

1/5/64

Issue

JJR

2/5/64

(T. S. RAMAIYA),
Under Secretary to Government,
Agriculture & Forest Department.

ISSUED
Date 2.5.1964

C.W
P/ having up

JJR 1/5/64

Sportion ✓

JJR 2/5/64

WD-010154-GPB-PZS-8,00,000-1-10-61

MEMORANDUM PRESENTED BY SRI C.B. MUTHANNA, PRESIDENT, TALUK DEVELOPMENT BOARD, VIRAJPET - TO THE CHIEF MINISTER OF MYSORE REGARDING ASSIGNMENT OF FOREST LAND IN KUTTA VILLAGE ON BEHALF OF THE VILLAGERS OF KUTTA.

.....

Respected Sir,

Permit me to draw your kind attention to certain events which have come to pass and has taken us by surprise. I am confident that you will give us your timely help and rescue us from a situation. I also feel that being the first citizen of this Taluk it is my bounden duty to put forth to you a certain legitimate grievances of the farmers of the village with in my Taluk.

OFFICE OF THE MINISTER FOR INDUSTRIES & COMMERCE
No. 8315
8 OCT 1963
BANGALORE.

Of late we are given to understand that a big bit of forest land of considerable value in Kutta village of Virajpet Taluk is ordered to be granted to a North Indian Firm known as Messrs. Mahendra and Mahendra.

P.S

2. It is beyond our imagination, why a Government land of such value for the heighbouring villagers should be made over to industrialists instead of giving preference to agriculturists. In this connection I must let you know in brief the history of this particular bit of land in Kutta village.

I should like to know more about this proposed grant- Why does he Mahindra-Mahindra want this land?

3. The said land is situated inside the revenue village of Kutta in Virajpet Taluk and is about 70-00 acres. This happens to be a very good pasture land and is the only available open ground for the cattle of the entire village amidst coffee estates.

A number of farmers applied for the grant of this land in this particular area but have been promptly rejected. This was once reserved for the displaced persons of the envisaged Laximan Thirth Project of the erst-while Coorg Government which was cancelled.

Seen 8/10/63
K. MALLAPPA
Minister for Industries & Commerce.

contd.....2

3 10

Once about 200 acres of the same block was granted on lease to one Mr. Ivor Bull of Messrs. Consolidated Coffee Estates (1943) Ltd., Pollibetta. But again cancelled on the representation of the people and 50 acres of this was allotted to Tribals and the rest was distributed among the landless, Ex-army and Political sufferers. With this chuckered history behind, this bit of land with its sandal wood wealth has been a constant temptation to many a capitalist for exploitation purposes. (The value of this land will be to the tune of Rs.2,000/- to 3,000/- excluding timber if it is to be sold in public auction). But what surprises us most, is in complete disregard to the local opinions and failure to follow the usual proceedures in this matter such as publishing the sale of land and calling for the opinion of the locals or placing the land for public auction or giving preference to the landless farmers etc., the Government has decided to make over the land to an Industrialist on its own accord. These events make one doubt and question the very existance and purpose of people's institutions like the Panchayats. The people of the locality are very vocal in expressing their dissatisfaction over the manner in which this was done.

And I am afraid if it is not timely intervened this might develope into a situation of unpleasentness and lack of faith and confidence in fairness and justification that is assured by the Government.

I therefore request the benign Chief Minister to reconsider the whole issue in the light of the facts furnished above and issue early orders and save the situation for all concerned.

Thanking you and expecting your fullest co-operation in dispencing justice for the cause of agriculture for which we standby.

C.B. Muthanna 8.10.67

(C.B. MUTHANNA)

M.G. S. App. F VI—G. 2]

SUBJECT Flag 'h'

Diary No. of letter replied to.....

Section

Serial No.

Mysore Government Secretariat

File No.

( )
the 196 .

Proceedings of the Government of Mysore

c.f

Date of issue 196

Read— Correspondence resting with G.O. No. AFD 117 FMM 63 dt 6th Aug 1963, on the above subject, I am directed to request you to furnish the following particulars to Govt early —

a) is it the only land available

Signed by.....

May this be—
(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Order thereon.—No.

for coffee cultivation ?
b) how many applications were pending for the grant of the land
c) the action taken till now & the present position.

A detailed report in this behalf should be submitted to Govt immediately.

4/7

List of Enclosures.

4/S A47

Copy to -

CE, Coorg Circle to furnish the above particulars to Govt. early

Copied by .

Examined by

WD 09414—GPB—PZS—4,00,000—31-5-01

13

/DRAFT/

No.AFD 117 FGN 63

To

The Chief Conservator of Forests in Mysore,
Bangalore.

Sir,

Subject:- Release of an area of 68 acres-Nagarhole-Kutta Road-Request of Mahindra & Mahindra Ltd., for purposes of Coffee cultivation.

=====

I am directed to invite reference to Government Order No. AFD 167 FGL 63 dated 6-8-63 in the matter of release of an area of 68 acres of forest land in S.No.63/2 in Nalkeri Reserve Forest for being given on lease in favour of Sri H.C.Mahindra of M/s. Mahindra & Mahindra Ltd. and request you to kindly enlighten as to whether there were any other applications other than that of this gentleman who had applied for coffee cultivation of that area. If so, the particulars relating to the names of the applicants and the areas sought by them may kindly be furnished for the information of the Government. I am also to request you to indicate whether there is any other land available in the neighbourhood of this land which is fit for coffee cultivation.

ISSUED
Date. 5/12/1963

An early reply is requested.

Yours faithfully,

Under Secy., A&FD.

Copy to the Conservator of Forests, Coorg Circle, for furnishing the required information through the C.C.F.

14
9.

No.B3-GFL-1898/63-64. Chief Conservator's Office,
Bangalore, dated 26 March, 1964.

To

The Secretary to Government,
Agriculture & Forest Department,
Bangalore.

Sir,

Sub:- Release of an area of 68 acres - Nagarhole - Kutta Road - Request of Mahindra & Mahindra Ltd., for purposes of Coffee Cultiva-tion.

Ref:- Your letter No.AFD 117 FGN 63 dated 5-12-1963.

.....

The area under reference was first proposed to be granted for rehabilitation of displaced persons under Laksmanathirtha Project, Vide this office letter No.B3-79-932/58 dated 3-12-1962 (Government reference No.AFD 327 FGL 59 dated 1-3-62.). Subsequently, Sri.K.A.Muddaiah, retired Conservator of Forests in his application dated 11-10-60 had requested for grant of 50 acres of land out of this area for Coffee cultivation. But his request was refused by Government in their letter No.AFD 100 FGL 62 dated 23-8-1961. The President Virajpet Taluk Development Board in his representation dated 13-4-1963 addressed to the Ministers for Forests and Revenue had requested to reserve the entire area for grazing of the Villagers. Subsequently after the issue of the G.O.No. AFD 117 FGL 63 dated 2-8-1963 sanctioning the land in favour of Sri.H.C. Mahindra of Bombay, the President, Taluk Development Board Virajpet had requested Government for grant of one acre of land in this area for construction of Planters Club and his request was recommended to be rejected under this office letter No.B3-GFL-563/63 dated 18-2-1964. The Conservator of Forests, Coorg Circle, reports that no other land in the neighbourhood, of the area under reference fit for Coffee Cultivation is available for grant.

Yours faithfully,

Chief Conservator of Forests.

'BN'/24.

15

Appendix F. G.—1]

SUBJECT As on p. 9 C.F. 1°

Diary No. of letter replied to.....

Mysore Government Secretariat.

( )

the 196.

Date of issue ISSUED Date 5-5-1964

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

N.

To

The C.F.

Sir,

With to your letter no. Bs-GFL-1898-63-64 dt. 26-5-64 on the Subject noted above I am directed to enquire as to whether malki has been removed from the lands granted and whether the area has been made available to the grantee. This ~~may please be treated as NDA urgent~~ progress of action taken in pursuance of Govt. No. AFD 117 FGN 63 dt 6-8-63 may please be intimated Very early

yf.

JSR

US to Govt

Asstt

Sd/-

30/8/64

NOTE

Subject:- Grant of forest lands and timber standing on it.

In most of the cases in which it is proposed to dispose of Forest lands for cultivation, the Agriculture & Forest Department issue orders regarding their release in favour of the Revenue Department and the Revenue Department is taking action to dispose them of according to Land Grant Rules.

It has been laid down in Circular RD 273 LMD 61 dated 12-12-1962 which was issued after consulting the A & F Department that Forest Department has to clear both reserved and unreserved timber before the lands are actually put in possession of the grantees. Recently, as per the recommendation made at the Conference of Deputy Commissioners held during September 1963, another Circular bearing No.RD 109 LAD 63 dated 25-3-1964 has been issued with the concurrence of the A & F Dept. According to this Circular the tree growth should be removed by the authorities of the Forest Department in cases in which the value of the malki is more than Rs.500/- and the malki might be disposed of by the authorities of the Revenue Department on the tender-cumauction basis in cases in which the value of the malki is less than Rs.500/- .

In one case the A & F Department has granted land in favour of a specified individual for coffee cultivation subject to the condition that unreserved kind of timber should be handed over to the party at market rate. The Revenue Department suggested that the standing orders might be made applicable to this case also and that both reserved and unreserved kind of timber might be removed by the Forest Department. The A & F Department has not accepted this suggestion.

...2.

If orders are issued in this case that only the reserved kinds of timber might be removed by the authorities of the Forest Department and that the other kinds of trees might be handed over to the grantee on payment of the value of malki, such orders would militate against the standing orders issued by Government and would create an inconvenient precedent in dealing with other similar cases. A copy of the latest Circular (dated 25-3-64) which has been issued with the concurrence of the Agriculture and Forest Department is appended. The points that arise for consideration in this context are whether:

a) the Forest Department is to release forest lands and leave it to the Revenue Department to dispose of the lands so released as per the land Grant Rules;

OR

b) the Forest Department may release forest lands specifically in favour of specified parties and expect the Revenue Department merely to issue parallel orders; and

c) when once the forest lands are released for cultivation could the Forest Department impose any conditions in regard to their grant in favour of the grantees.

It is considered desirable to discuss this matter at a meeting of the concerned Secretaries to Government so that all concerned could have a clear understanding of the position.

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